

## FARMINGTON CITY COUNCIL MEETING

June 18, 2019

### WORK SESSION

*Present: Mayor Jim Talbot; Councilmembers Rebecca Wayment, Alex Leeman, Brett Anderson; City Manager Shane Pace, Development Director David Petersen, City Recorder Holly Gadd, and Recording Secretary Lara Johnson*

*Excused: Councilmembers Doug Anderson and Cory Ritz*

### Presentation from the Department of Beverage Control (DEPARTMENT OF BEVERAGE CONTROL (DABC))

A representative from the Department of Beverage Control (DABC) came to discuss the new liquor store that will be coming to Farmington. The state has authorized a store be built in the area between the Bountiful and Layton stores. The City previously requested that Kaysville be also considered. The Department of Beverage Control (DABC) looked at multiple locations within Kaysville over the last year, but felt the state-owned property just north of Lagoon and next to the Highway Patrol is the best location for the area.

The representative said the Department of Beverage Control (DABC) takes pride in their two areas of focus when selling liquor: to reasonably meet demand and to watch for underage drinking and overconsumption. He said the staff is trained to spot overconsumption and underage drinking. He said staff has the authority to turn away any customer, which happens more frequently than realized.

The representative showed the conceptual designs for the building, which were well received by the council members. It was also discussed that the new driver's license building may eventually be built next to this store on additional state-owned property once funding is secured. **Mayor Jim Talbot** mentioned that the City would be in favor of making this area a "state-owned complex" that could house the Highway Patrol, the Department of Motor Vehicles (DMV), the driver's license building, the liquor store, and more. He said he feels it would make it easier for people to have a one-stop area instead of driving multiple places around town. The representative from the Department of Beverage Control (DABC) said he would be happy to suggest it, but that the decision is out of the purview of the Department of Beverage Control (DABC).

**Mayor Talbot** expressed concern with the site distance on Lagoon Drive and the bend in the road. He asked if there is additional right-of-way to make the bend wider. **Alex Leeman** also asked if there is room to put a turn lane in the road. **David Petersen** said yes, there is room for a turn lane and additional right-of-way is possible.

**Mayor Talbot** also asked that the Department of Beverage Control (DABC) get with the Development Review Committee (DRC) to discuss City standards for things like storm water drain, sewer, and more. The Department of Beverage Control (DABC) said they would like to see any of those recommendations and standards. **Brigham Mellor** also pointed out that the Department of Beverage Control (DABC) will be beneficial in bringing the sidewalk to this area. He said the hope is that the sidewalk will eventually connect to a pedestrian overpass for Park Lane.

### **Recognition and Appreciation to CenterCal**

**Mayor Talbot** said CenterCal continually brings value to the community. He invited CenterCal to this meeting to be recognized for their contributions to our community. He said Fred Bruning, the CEO of CenterCal came from California, and David Anderson, the General Manager of Station Park is also in attendance. He spoke highly of both individuals, and the amazing work they are doing.

**Fred Bruning** said Farmington has a special place in his heart, as well as in the heart of CenterCal. He said Station Park opened at the worst time in the last 50-year economic cycle. He said many people told him it could not be done. He said in the initial opening, Station Park did not have the strongest tenants. Since that time, tenants have been replaced with stronger ones like REI, Best Buy, Columbia Sportswear, Barnes & Noble, and many more. He said by February of this year, Station Park will be 99% leased out, which is the highest of any shopping center in the state of Utah.

**Fred Bruning** also thanked David Anderson and his team. He said they meticulously care for Station Park as they would their own home. **David Anderson** thanked the Council; he invited them to attend Columbia's ribbon cutting ceremony, to ride the autonomous shuttle, and to participate in the concert series in the park. He said he and his team works hard to exceed expectations, and he thanked the City for its support.

### **REGULAR SESSION**

*Present: Mayor Jim Talbot; Councilmembers Rebecca Wayment, Alex Leeman, Brett Anderson; City Manager Shane Pace, Development Director David Petersen, City Recorder Holly Gadd, and Recording Secretary Lara Johnson*

*Excused: Councilmembers Doug Anderson*

*Cory Ritz joined by phone at 7:45 p.m.*

### **CALL TO ORDER:**

Mayor **Jim Talbot** called the meeting to order at 7:00 p.m.

### **Roll Call (Opening Comments/Invocation/Pledge of Allegiance)**

The invocation was offered by **Mayor Jim Talbot** and the Pledge of Allegiance was led by a local scout, **Sam Kimball**.

### **PRESENTATIONS:**

#### **Recognition and Appreciation to CenterCal**

**Mayor Talbot** said there are many people that have helped Farmington to grow. He said Fred Bruning, the CEO of CenterCal is one of them. He said CenterCal developed Station Park, and since that time the City and CenterCal have maintained a great partnership. He said CenterCal has made donations to Farmington Festival Days, as well as contributions to assist with the new City park. He thanked Fred Bruning, and Station Park's General Manager, David Anderson.

**Mayor Talbot** invited Mr. Bruning to come up. He explained that CenterCal made a sizable investment of \$80 million in taxable value prior to collecting any tax increment in the Redevelopment Agency (RDA), to insure continued investment in the project area. **Mayor Talbot**

said the success of Station Park is incredible. He said this Redevelopment Agency (RDA) for \$18 million will be paid off in 20 years. He said the City will soon pay off this RDA. He said he feels this RDA is one of the best in Utah, and maybe even the country.

**Mayor Talbot** presented Mr. Bruning the next to the last payback check for the RDA. He also said the City commissioned local artist, Rebecca Mann, to paint something that is unique and different at Station Park. He presented Ms. Mann's original artwork to Fred Bruning as a thank you for all he and CenterCal have done for the City of Farmington.

**Fred Bruning** thanked the City; he said Farmington City has a special place in this heart and in the heart of CenterCal. Station Park opened during a challenging economic time. He said it was difficult to open, and some original tenants did not make it through. He said because of the collaboration between the City and CenterCal, it turned into something much better than anyone could have imagined. He said now there are many wonderful tenants that are coming in like, REI, Barnes & Noble, PF Changes, Colombia Sportswear, and more. He said in February of next year, Station Park will be 99% leased and occupied, which is the highest in the state. He thanked the City for their love and support.

*Minute Motion adjourning to the Redevelopment Agency meeting:*

At 7:16 p.m., **Rebecca Wayment** moved to adjourn to the Redevelopment Agency Meeting. **Alex Leeman** seconded the motion which was approved unanimously.

A roll call was taken of the Redevelopment Agency of Farmington City. Councilmembers Brett Anderson, Rebecca Wayment, Alex Leeman were present; Councilmembers Cory Ritz and Doug Anderson were excused. 3 of the 5 City Councilmembers present during this time.

**Mayor Talbot** said the first item is to appoint the City Manager as the Secretary/Treasurer of the Redevelopment Agency.

*Motion:*

**Brett Anderson** moved that the City Council appoint the position of City Manager to serve as the Secretary/Treasurer of the Redevelopment Agency of Farmington City. **Rebecca Wayment** seconded the motion which was unanimously approved.

**Mayor Talbot** said the next item is a public hearing for amending the annual budget for fiscal year ending 06/30/2019 and adopting the annual budget for the RDA for fiscal year ending 06/30/2020.

**Keith Johnson**, Assistant City Manager, said the US-89 RDA is included as revenue is still coming in due to recreational purposes. He said there is also the Station Park RDA, which is providing revenue coming from Station Park. He said the City has been saving for housing, as well as payback to CenterCal for their investment. He said the budget for both RDAs is included in the staff report.

**Keith Johnson** said \$3.94 million went back to CenterCal at this meeting.

**Keith Johnson** also said the Station Park RDA was set to expire this last year, but after the recent Taxing Entity Committee meeting, an additional year was added to this RDA to allow for a proposed arena. In the next year, the housing payoff will be completed, as well as what was owed to CenterCal. He said the remaining \$4 million will go toward a proposed arena.

**Keith Johnson** said this RDA has paid for the \$18.5 million limit in just over 8 years, which is why it's very successful, as previously mentioned.

**Mayor Talbot opened the public hearing at 7:23 p.m.**

**David Stringfellow**, 2060 Sharpshooter Court, said he is here to talk about the Station Park RDA. He said there are many west side residents that are concerned about the infrastructure and transportation. He said he and the other residents are grateful for Station Park. He said with success comes other demands of what the City provides. He asked if the RDA extension is contingent on the proposed arena happening. **Mayor Talbot** said yes, the RDA extension, and money resulting from it, are set aside for only the arena. If the proposed project falls through, the money will go back to the taxing entities. **David Stringfellow** mentioned that he has seen many bad RDAs in his work; he cautioned the City that they should make as good of an RDA with other developers going forward. He said the City needs to build many millions of dollars' worth in roads without the necessary funding to build it at this point. He would like the City to figure out how to build the infrastructure as fast as possible.

**Mayor Talbot closed the public hearing at 7:27 p.m.**

**Brett Anderson** asked Brigham Mellor was the City is receiving by way of tax revenue as this property sits vacant versus estimated revenue once it is developed by CenterCal. **Brigham Mellor** said conservative estimates of the finished assessed value of the arena would be approximately \$20 million, although it could be more. He also said not taking sales tax into account, the actual tax increment generated over a 20 year period will exceed the incentive given because the City is putting \$4 million toward the project to generate over \$6 million in time.

**Brigham Mellor** said the incentive isn't to "line the pockets" of the City, but to have the funding needed to build infrastructure within the City. The proposed arena project will help with the infrastructure.

***Motion:***

**Rebecca Wayment** moved that the City Council approve the resolution amending the annual budget for fiscal year ending 06/30/19 and adopt the annual budget for the Redevelopment Agency of Farmington City for fiscal year ending 06/30/2020; for the US 89 and Station Park Project Areas. **Alex Leeman** seconded the motion which was unanimously approved.

*Minute motion to reconvene the City Council meeting.*

***Motion:***

**Brett Anderson** moved that the City Council adjourn the Redevelopment Agency meeting and reconvene the City Council meeting. **Alex Leeman** seconded the motion which was unanimously approved.

**PUBLIC HEARINGS:**

**Resolution to Increase Sewer and Garbage Rates:**

**Mayor Talbot** said the City is a third party on garbage collection and sewer since the City includes the charge as part of the utility bill that goes out. He said the City does not have anything to do with the increase.

**Keith Johnson** said as of July 1, 2019, there will be a \$3 increase due to Central Davis Sewer District (CDSD) recent budget increase. He said CDSD held a public hearing during that time. He also said the City is a pass through for CDSD to collect fees.; once the fees are collected, the City then pays CDSD. So, if there is a rate increase for sewer from \$22 to \$25, the City will include that rate increase on the utility bill, then once the City collects the fees, the City then pays CDSD.

**Keith Johnson** said it is the same thing with landfill charges. He said the City passes the charge onto the resident, and that the charge is set based on the cost per can to be dumped, as well as paying for the waste hauler. He said the City charges a small overhead cost to pay for administration of the mailings and postage. **Brett Anderson** asked if residents pay for can replacements. **Keith Johnson** said if a can is lost or damaged, the City may choose to charge a resident for a replacement. He said the average life expectation is 15 years, so the City will replace the can from wear and tear. He said Wasatch Integrated held their own public hearing as well in order to raise their rates \$2 a can as of July 1, 2019.

**Brett Anderson** asked when the last time sewer rates went up, and if there is anything that can be done to help offset the balance. **Keith Johnson** said the last rate increase was 4 years ago. He said due to the demographics of the City, many residents still want a paper bill. This keeps the administrative consistent.

***Mayor Jim Talbot opened the public hearing at 7:42 p.m.***

**Mel Ives**, 1817 West Spring Meadow Lane, said his questions have been answered. He also expressed his appreciation to the City for bringing the University of Utah health complex to Farmington. He said it is something he and his wife use regularly. He also asked how often and which departments get audited.

**Keith Johnson** said there is a full audit of the whole city every year, which includes every department.

**Jill Jones**, General Manager for Central Davis Sewer District, said she manages sewer for Farmington, Kaysville, and Fruit Heights. She said the state mandated a lower threshold for phosphorus in the water. The least costly solution is to add more alum salt, but doing so increases the cost for chemicals and labor. This state mandated change results in a \$3 increase per home. She said she appreciates the working relationship CDSD has with the City and staff. She said she also recognizes adding the sewer bill onto the City's utility bill can be burdensome; she expressed appreciation for the City for doing it because it helps keep the City's sewer rate low. She also said that CDSD is proud to have some of the lowest rates in the state.

***Mayor Jim Talbot closed the public hearing at 7:48 p.m.***

There was no further discussion on this item.

***Motion:***

**Alex Leeman** moved that the City Council approve the resolution amending the Consolidated Fee Schedule to reflect the fee increases to sewer and garbage rates imposed by Central Davis Sewer District and Wasatch Integrated Waste. **Brett Anderson** seconded the motion which was approved unanimously.

## **Resolution Amending the Annual Budget**

**Keith Johnson** explained the State's website, and walked through the equations to determine how the mill levy is determined each year. He said the way property taxes work is the City gets what it earned last year for this year, plus new growth. He explained this in detail. He also said the City has two General Obligation Bonds, one that was used to build City Hall and the new police building, and the other bond for the new gym. **Keith Johnson** said the new mill levy will be .001640, which keeps going down because of the increase in the value of homes and properties within the City.

**Brett Anderson** asked if some cities property tax rates are going up. **Keith Johnson** said yes, some cities will have a property tax increase. He said some cities also choose to hold their mill levy the same, but the city has to go through truth and taxation with a public hearing in order to do so. **Brett Anderson** said he appreciates that the tax rate keeps going down for Farmington.

**Keith Johnson** said since 1989, the property tax rate was at its lowest point in 1999. He said the City is now back at that same rate now. He said the City has only had one rate increase in 2003. He said the rate has continued to drop because of the growth of the City. He also said the rates for the two General Obligation Bonds are as low as the City has ever been.

**Keith Johnson** walked the council through the rest of the proposed budget, including the General Fund Balance. He explained revenues have flattened out, so the City plans to slow the growth and expenditures to keep the fund balance healthy. He said the City replaced new equipment for the fire fighters and police department, as well as finished the new water tank. The City also budgeted in hiring three new full-time fire fighters. He also said, as previously discussed, the sewer and garbage fees are going up.

**Keith Johnson** said he always plans things conservatively, so there may be additional sales tax revenue coming in, but until it comes, he said he does not plan on it as part of the budget.

***Mayor Jim Talbot opened the public hearing at 8:13 p.m.***

**David Stringfellow**, 2068 Sharpshooter Court, pointed out that RDAs don't generally build infrastructure unless the RDA is structured that way. He asked when the funding for the main arterial road from Park Lane to the new I-15 interchange will be built. He said the west side is excited about the new roads coming, as well as another connection to the freeway. He said there are a lot of concerns about how these roads will "dump traffic" into the neighborhood where he lives. He said he feels there needs to be tens of millions of dollars available to build the infrastructure that is needed. He suggested floating bonds to get the infrastructure in now before potential problems happen.

**Shane Pace** said there has been a lot of progress made on 950 North. The road has been funded by legislature and a grant. He said the road is currently being designed by Horrocks Engineering. Once the design is complete, the bidding process to select a contractor will begin. He said Chad Bushnell, the City Engineer is currently managing the project while working closely with Kaysville. He said in order to consider bonds or other funds, a certain amount of the project has to be designed out. He said that is where the road is in process right now

***Mayor Jim Talbot closed the public hearing at 8:20 p.m.***

**Alex Leeman** said he has a lot of interest in the traffic flow in this neighborhood because this is where he lives. He said he has a difference in opinion than Mr. Stringfellow; he feels the interchange connections will have the opposite effect. He said currently there is a lot of additional traffic from Kaysville and the surrounding neighborhood that is causing a lot of through traffic on the roads in this area. He feels opening up an interchange and having arterial roads to support it will limit the amount of traffic that is weave through the neighborhoods trying to get to the freeway. If feels if Shepard Lane is designed right, it will be a nice addition for the traffic flow.

**Mayor Talbot** said in a matter of a year, approximately \$47 million have been funded from the State for the Shepard Lane interchange. He feels having a good partnership with Kaysville city has helped bring the interchange into reality.

**Brett Anderson** said he felt the City saw the “writing on the wall” with the West Davis Corridor, and knew it was coming. He felt the City has tried to make the best of it by getting out of things that the City needs, like the Shepard Lane interchange and funding for 950 North. **Mayor Talbot** agrees; he said no one wants the West Davis Corridor, but at least they have made every senator and legislature know the impact it will have on Farmington, so the City is at least getting something out of it in return.

***Motion:***

**Brett Anderson** moved that the City Council approve the resolution amending the budget for fiscal year ending 06/30/2019 and adopt the budget for fiscal year ending 06/30/2020 including the compensation schedule and the property tax rate of .001640. **Rebecca Wayment** seconded the motion which was approved unanimously.

**Vacation of 1100 West Right-of-Way**

**Brigham Mellor**, Economic Development Director, said this piece of property was exchanged with property across the street as part of the 1100 West. He said the City will get a remnant parcel back as the property currently falls in the impact area for the West Davis Corridor. He said based on the record of decision from UDOT for the West Davis Corridor, 1100 West will run parallel to the WDC. He said this property is adjacent to the road, and will be turned back to the City. **Brett Anderson** asked if the ROW south of this will lead to anywhere. **Brigham Mellor** said he thinks it will turn into a dead end.

***Mayor Jim Talbot opened the public hearing at 8:27 p.m.; with no one signed up to address the Council on the issue, he immediately closed the public hearing.***

No further discussion at this point.

***Motion:***

**Alex Leeman** moved that the City Council approve ordinance to vacate right-of-way contained in parcel #08-082-0023. **Rebecca Wayment** seconded the motion which was approved unanimously.

**NEW BUSINESS:**

**Environmental and Engineering Consultant Service for the Connection Road Project – Horrocks Engineers**

**Chad Bushnell**, City Engineer, said Farmington and Kaysville cities have been awarded \$10 million from federal, state, and county funds for this project. He said he is working closely with Kaysville to get it done. He said they hired Horrocks Engineer over a year ago to work up preliminary design for the road. He said the drawings are about 30%. Once the drawings are a bit further along, it can be taken to the state legislature to get funding. He said in order to get federal funds to convert to state funds for the project, a certain amount of an environmental study must be done. He said there was one company interested in doing the environmental work, which was Horrocks Engineer. He said he feels this works out in the City's favor because Horrocks has also done the WDC environmental work, and is already working on the design of the road in the area. **Chad Bushnell** said Horrocks Engineer would hold a public open house as part of the process. He feels this is important because the last open house for the Shephard Lane area received a lot of public comment.

**Chad Bushnell** said the cost of the \$89,000 for the study would come out of the \$100,000 county funding from Proposition 1. He said he is working with Kaysville City on an agreement to split the costs and manage the project. He said he is managing the project until an agreement is in place.

**Mayor Talbot** said he feels it is fortunate that two cities are working in favor and not against one another, and that funding from Proposition 1 is coming in. **Chad Bushnell** agreed. He also mentioned that this contract won't be for design of the road, but that it will help move the design further along.

There was no further discussion by the council members on this item.

***Motion:***

**Brett Anderson** moved that the City Council approve the contract and RFP from Horrocks for environmental and engineering consultant services for the Farmington/Kaysville road connection to the future West Davis Corridor and Shepard Lane 1-15 Interchange in the amount of \$89,004.12 to be paid from Davis County Proposition 1 grant money. **Alex Leeman** seconded the motion which was approved unanimously.

**Increase to Farmington Gymnasium Fees**

**Neil Miller, Director** of the Parks and Recreation Department, said they are proposing to change the fee schedule for the one-month membership fees. He said since the gym and park were bonded by the Farmington residents, he feels it is fair to give residents the better rate and to charge the non-residents for a bit more. He reviewed the fee schedule, as found in staff report.

**Neil Miller** asked said that honesty with residency has been a concern. He said he is also proposing that proof of residency must be shown to address this concern.

**Rebecca Wayment** asked if there is a large portion of non-residents that frequent the gym. **Neil Miller** said they believe there is a large percentage of non-residents that come for pickle ball and basketball. He said he feels the fees that are being proposed are fair.

**Brett Anderson** asked why the senior citizen membership increases slightly more than the others. **Neil Miller** said they changed the senior citizen fees to match the youth fees.



**Mayor Talbot** asked how someone will know about the price increase. **Neil Miller** said they will have a notice about the change effective July 1.

***Motion:***

**Rebecca Wayment** moved that the City Council amend the Consolidated Fee Schedule to reflect the fee increases to the gymnasium 20 punch pass for non-residents and the one-month family membership for residents and non-residents effective July 1, 2019 and require Farmington residents to provide proof of residency. **Alex Leeman** seconded the motion which was approved unanimously.

**Spillman Software Lease for Police Department**

**Chief Wayne Hansen** said the police force currently uses FatPot for their records management software for things like police reports, citations, etc. He said they have been with FatPot for over 15 years. At the time, half of the police forces in Utah were using it, and the company was based in Bountiful. He said Farmington, Centerville, and the Highway Patrol are the only ones left using it.

**Chief Hansen** said in the last year, Fatpot has been bought and sold twice in the last year. He said the most recent acquisition was by Centersquare, a corporation from back east. In researching more about the company, he said Centersquare seems to have an end of year life on contracts with companies they have acquired. He said when the contract expires, they send an estimate for their software which costs substantially more. He also said

**Chief Hansen** said Spillman Software is located in Logan and is owned by Motorola. He said they have great contact with Spillman, as well as their Motorola representative. He said the bid provided by Spillman is good until June 28, 2019, which would put the City in line to set up services next year because Spillman is that booked out.

**Chief Hansen** said he reached out to the State Alcohol Commission to see if the City could use some of its beer tax allotment to help offset the costs of the new system. He said the Director of the Commission reviewed the request; he feels software is a critical component for police forces. He agreed to cover up to half of the software costs with alcohol funds, which will be approximately \$22,000 for three years with the City cover the other \$22,000 for three years.

**Chief Hansen** also said that Spillman currently houses and maintains a server for all of the Davis County agencies. He said by moving to Spillman, the City will move onto that server which will streamline the connection to Davis County dispatch and access to records from all other police department's records in the County. He said the yearly agreement would cover the cost of that.

**Chief Hansen** feels making the switch to Spillman is a wise move; he is unsure Fatpot will be a viable option in the next few years and it could end up costing the City much more if they wait to make the decision down the road. He also said making the decision now will put them in line since the wait for the software is approximately a year out. **Keith Johnson** also pointed out that since the system won't come online until next year, the payment will not be in this year's budget. He said the first payment won't be until July 1, 2020, but approving this now secures the place in line to get the system installed.

**Brett Anderson** summarized the concerns; he said Fatpot no longer satisfies all the needs of the police force and is not an effective long-term solution, and that switching now will be a cheaper and more effective long-term solution. **Chief Hansen** said yes, that is an appropriate summary.

***Motion:***

**Alex Leeman** moved that the City Council approve the lease agreement with Motorola for Spillman records management software for the Police Department. **Rebecca Wayment** seconded the motion which was approved unanimously.

**OLD BUSINESS:**

**Rezone and Schematic Plan for Flatrock Ranch (600 S. 1525 W.)**

**David Petersen** gave a brief background on this item when it came before the Planning Commission. He said the applicant submitted a yield plan for 44 lots. When the applicant first presented it to the Planning Commission, it was for 64 lots. The Planning Commission did not immediately throw it out, but did take time to discuss the merits of it. The Commission felt the density was similar to Chestnut Farms, which would be okay since the project will be adjacent to the WDC. He said the Commission expressed concern about the applicant's request for 20 TDRs. He said the Commission leaves the decision of the TDRs up to the City Council, but since it was such a large request, they wanted to know how much money the City would receive in return for the TDRs so the item was tabled.

**David Petersen** said previous developers proposed projects on this land. He said one project failed because the WDC record of decision has not yet occurred, and the other because Central Davis Sewer District said it needed approximately 140-150 lots in order to qualify for a sewer lift station. He said CDSD has since changed their outlook, and said 44 lots would qualify for a lift station. He said the City does not have control over CDSD and their decision.

**David Petersen** said in between Planning Commission meetings, Michael Brodsky met with Shane Pace. He let Shane know he was dropping the lot count from 64 to 49, which includes a request for 5 TDRs. **David Petersen** said the Planning Commission still expressed concern about the location of the park under the power lines, but passed the item nonetheless.

**David Petersen** said the revised schematic plan has now moved the park to the middle of the project. He said they will also have 4 cul-de-sacs and stubbed streets to the Stoddard's property to the north.

**David Petersen** reviewed the 49 and 44 lot schematic plan comparison summary table, as found in the staff report.

**Alex Leeman** expressed concern that counting the 5 TDRS as open space is double counting. He said if cash payment bought the TDRs, and not the applicant is getting even more lots because of dedication of space under the conservation subdivision, it would be like the property counted twice.

**David Petersen** walked through the summary table to show the difference of why it is not counting.

**David Petersen** reviewed the Ordinance standards for a waiver of open space, including improving the open space they have, cash payment, or some other interest in the open space. He said the applicant is proposing a private park, which staff felt like justifies the waiver of open space.

**David Petersen** said the DRC reviewed the 64 lot plan, as well as the 49 lot plan. He said the DRC highly recommended the 64-lot plan because the 49 lot plan is too large. The DRC said the rear yard of larger lots have turned into weed patches and often become a code enforcement issue. The DRC also said the larger lot subdivisions cost more money on the City's infrastructure, like the culinary water line, paving, repavement, snow plowing, and more. A bullet list of the DRC's comments was also included in the staff report. **Brett Anderson** said he feels like comments about what is the most economic use of a property could be made about ANY development. He feels a decision cannot be made solely on that argument.

**David Petersen** provided information about the amount of property taxes different lot sizes pays the City. He explained a multiplier effect starts to occur where medium size lots are subsidizing costs of the larger lots. **Alex Leeman** said that with additional homes, there is also additional burden on infrastructure because there are more cars on the roads, people using water, etc. **David Petersen** said the City's streets are built to sustain a certain amount of capacity. He said the local streets within the City are all under capacity. He explained finding the "sweet spot" with the right size of developments is a good use of public resources. He feels the 5 TDRs the applicant is recommending is a good decision. It will also provide a little bit of money that will go towards projects the City needs. He said an example of this is the trail easement along Farmington Creek that was recently purchased. He said currently, the City does not have any impact fees to improve that trail. The money provided by this TDR could help improve that trail.

**Mayor Talbot** said that Farmington has always been known to have larger lots, but asked David Petersen if he is saying it is more efficient to have higher density at 49 lots than larger lots. **David Petersen** said yes, but "higher density" like Chestnut Farms is still lower density. **Mayor Talbot** said to many residents, it is considered higher density. **David Petersen** said there is still a lot of merit to the TDR program. He recognizes the program still has its faults and there are ways to improve that, he still feels it's a crucial resource to obtain money that the City would not have otherwise.

**Rebecca Wayment** said the 49 lot schematic plan looks nice, then there is the 44 lot schematic plan. She said based on the summary table, the 44 lot schematic plan should have over 6 acres of open space included on it. She asked if the applicant could still reconfigure the lots for a park. **David Petersen** said with the TDRs, the City could receive cash for them, as well as other benefits in other ways, like an improved park. He said he feels 5 TDRs is a reasonable request for a nice development.

**Brett Anderson** asked how the TDRs could be approved anyways because not less than 4 members of the City Council must approve it.

**Mayor Talbot** said the TDRs are not being considered tonight, but the rezone is; he suggested maybe discussing the rezone request by the applicant. **David Petersen** said there are two motions before the Council, one motion is for the property rezone and the other is for the schematic plan alternatives. He said one of those alternatives schematic plan motions is to approve the 49 lots with the TDRs and waiver as a condition for the next meeting.

**Rebecca Wayment** said she struggles with rezoning property without a schematic plan. She said she is unsure if 5 TDRs is a big enough gain for the City, or if the 44 lot schematic plan because a park may still be included. **David Petersen** said with the 44-lot plan, the City would not be getting a park. **Rebecca Wayment** said the applicant still has to include 6 acres of open space, the applicant could still throw in a park. **David Petersen** said developments are a give and take. He said the Planning

Commission was not concerned with the rezone because the fall back lot size in the AE zone is 1-acre lots. He said the Planning Commission recommended the schematic plan with the 5 TDRs because the City would get the value of the TDRs and waiver, as well as the private park.

**Mayor Talbot** said he does not have issues between the 49 lots versus the 44 lots. He said he does not like the long street with nothing but houses. He asked if the proposed cul-de-sacs have been approved by the fire department. **David Petersen** said yes, the cul-de-sacs have been approved by the fire department in the DRC meeting.

**Mayor Talbot** asked if the Planning Commission is recommending 49 lots, which include 5 TDRs. **David Petersen** said yes, the Commission is recommending it. **Mayor Talbot** said he feels the proposed schematic plan would be an appropriate time to use TDRs, and it would help to have the TDR money to improve the trail or purchase more ground.

**Alex Leeman** asked how many lots the last developer proposed for this property. **David Petersen** said 34 lots.

**Brett Anderson** asked how much could be done tonight. **Mayor Talbot** said the Council could approve the rezone, but that at least 4 councilmembers have to vote for the TDRs. **David Petersen** said the alternative motion for the schematic plan has the TDRs as a condition of approval subject to 4 city council members. He said the Council could approve the schematic plan with the condition of TDRs and waiver or table the item to decide the schematic plan once the other two council members are present.

**Michael Brodsky**, 308 E. 4500 S., Murray, said there are a lot of benefits to the 49-lot subdivision, which includes a neighborhood park and trail head connections on both ends of the community. He said the proposed park is a \$60-70,000 fully landscaped ½ acre park with amenities. He said with the yield plan 44-lot schematic plan, he is under no obligation to do an improved park or trail connection. He said with the 49 lots, he would include an HOA that is responsible for the maintenance of the park and CC&Rs to maintain the integrity of the community. The HOA would also maintain the open space at the entrance of the neighborhood. He feels those are significant benefits over the 44-lot schematic plan, which would have no HOA, improved park, or trail connections. He said he was also under the impression that staff objects to have large open space parcels. He said that he could easily meet the open space requirement to qualify for a conservation subdivision without any effort or a waiver; to do so, he said he would take out acreage from the lots. **David Petersen** said if the applicant did so, it would decrease his lot sizes to approximately ¼ acre lots.

**Mayor Talbot** said he does not have a problem coming down on the open space requirement. He feels large parcels left as open space looks awful. He said he feels HOAs seem to fail at some point, but that it is not a bad way to go to try and keep the development looking good. He said he likes the idea of a private park as well. He said he does not have any heartburn over 44 versus 49 lots. He said he would rather see something better managed with an HOA, and a park included for residents. **Mayor Talbot** said he feels every developer is coming in requesting TDRs. He said he recognizes enough is enough; however, he does not feel this developer is being abusive of TDRs with this project. He said he likes how the open space is being proposed and feels it is a good option for the City to consider.

**Rebecca Wayment** asked if a vote is taken, and the rezone and 49 lots is approved on the condition that 4 council members will approve the TDRs, what would happen if the TDRs end up not being approved by 4 council members. **David Petersen** said the schematic plan would fail, and not be approved.

**Rebecca Wayment** said she would like to see what 44 lots look like with open space, or as a park, or even as a waiver. She said she does not have anything to compare to the 49 lot schematic plan, so she is not sure if that's what she really wants with the TDRs. She said she would like additional information ahead of time to allow for more discussion.

**Meagan Booth**, Associate City Planner, said the DRC discussed comparable compensations that may be included so a waiver could be considered. She suggested that the trail head connections could be included as one of those comparable compensations to qualify the applicant for a waiver.

**Mayor Talbot** asked for the council members' thoughts.

**Rebecca Wayment** said she is not comfortable approve the 49-lot schematic plan without the vote of the other City Council members. She said she is inclined to table the item because right now she is leaning more no, but is unsure where a vote no would leave the applicant.

**Alex Leeman** said he appreciates that the developer heard the comments about moving the park, but feels he did not hear comments about the overall lot county. He said he is unsure if he does not like the project or he is frustrated that a year and a half ago, the City had the opportunity to approve a 34-lot subdivision on the same property, but that the City had concerns about the DR line so they did not move forward on it. He said in his mind, this area of the City would remain really rural density. He felt 34 lots was more in line with that, but does not feel the same way about the 44 or 49-lot plan. He feels the 49 lot plan could have some appeal to it; he is comfortable tabling the item.

**Brett Anderson** expressed concern that if this project is approved, then the area to the south will look the same. He feels this whole area could become very packed very quickly. He said he is unsure who wrote the Ordinance for conservation subdivisions, but feels the City is far from keeping to the intent of the requirements included in the Ordinance. He said he would prefer to table this item, but that he feels comfortable approving the rezone as he sees it as something inevitable.

**Shane Pace** suggested making a motion on the rezone, and then possibly tabling the schematic plan and TDRs. He reminded the Council that every time a project is tabled, the chance of a successful subdivision will decrease. **Rebecca Wayment** asked for clarification that rezoning to AE would result in default lot size of one acre. **Shane Pace** said yes, lot size is 1 acre within the AE zone. **Brett Anderson** said he likes the idea of recommending the rezone to let the developer know that the City is still interested in the project.

#### ***Motion for the Rezone:***

**Alex Leeman** moved that the City Council rezone this proposed 32 acres as AE. **Brett Anderson** seconded the motion which was unanimously approved.

#### ***Motion for the Schematic Plan:***

**Rebecca Wayment** moved that the City Council table discussion on the schematic plan for the FLatrock Ranch 32 acres of property located at 600 S. 1525 W. until the next City Council meeting

when additional council members are in attendance to weigh in on the TDR and waiver discussions associated with the schematic plan. **Brett Anderson** seconded the motion which was unanimously approved.

**David Petersen** asked the Council for guidance on what more can be done so the Council can be in a position to come to a decision as the next meeting. **Rebecca Wayment** said she would like to see options of how the open space could be used versus the TDRs and waiver to get the park and trail head connection. She said she would also like information on where the City could use the TDR money; staff suggested the Farmington Creek trail, but she wondered if there are other places within the City that could benefit and why. **Alex Leeman** agreed that he would like to see other options. He said it may not just be 44 lots versus 49 lots, but wondered what the subdivision could look like with 1, 2 or 3 TDRs so there is something to compare the 49 lot schematic plan with 5 TDRs to. **David Petersen** suggested that a couple council members could meet with the developer to consider different options prior to the next meeting on July 18<sup>th</sup> to ensure that meeting is more productive. The applicant said he is in favor of this meeting. Staff will coordinate with the developer and the council members.

#### **SUMMARY ACTION:**

1. Davis County Dispatch Agreement

**Rebecca Wayment** moved, with a second from **Brett Anderson**, to approve summary action list. The motion was approved unanimously.

#### **Introduction of Finance Director Candidate**

**Shane Pace** said the process of hiring a new finance director for the City started over a month and a half ago. He said the City received 21 applications, which was then narrowed down to 8 individuals. He said there was a very high number of quality recruits, and he felt many of them would have worked well as the Finance Director; however, they narrowed the candidates down to two. He said it came down to which candidate would fit best within the organization and with department heads. He said he feels Greg Davis is the best fit. He also said it was important that Keith Johnson to review the candidate to ensure he can do everything Keith does, and do it well.

**Keith Johnson** said he involved the department heads and two office staff employees in the hiring process. He said he focused on the abilities and skills of the candidates and the department heads and staff focused on the candidate's ability to fit within the organization. He said two candidates rose above the others. He said both candidates did exceptionally well, but it was unanimous who would be the best fit during the final interviews.

**Greg Davis**, said that he has lived in Farmington for over 30 years. He said today he welcomed a new granddaughter, but that things were a bit scary. He said he feels family is so important. He promised the Council that his heart and head will be in this job; he looks forward to rolling up his sleeves and getting to work in this job. He looks forward to giving the City the service it deserves. He said having worked for "the Big City," and the state, he feels they have nothing on Farmington City. He said he has been very impressed and grateful for the many people that serve the community.

**Rebecca Wayment** asked if a starting date has been finalized. **Greg Davis** said that with the approval of City Council, July 1 would be the start date.

**Mayor Talbot** agreed that both candidate did very well. He said there were a few answers that Greg said that stood out to him. When asked how many employees he knows, Greg answered, "I can tell you who the janitors are, and they know me. I know the employees." **Mayor Talbot** said he was very impressed by this answer, as well as a few others. He said he feels its important to have a candidate that is family oriented, as well as recognizes everyone in the organization regardless of title.

**Rebecca Wayment** also agreed that both candidates were great, and that she was very impressed with Greg. She said she feels he is very disarming and approachable. She feels he will be easy to talk to and to get along with.

***Motion:***

**Brett Anderson** moved that the City Council approve the resolution appointing Greg Davis as the New Finance Director for Farmington City. **Rebecca Wayment** seconded the motion which was unanimously approved.

**GOVERNING BODY REPORTS:**

**City Manager Report**

- He said the Flanders family, the owners of S&S Railroad, wants to build a train circle station in the middle of their property. He said the fire marshal said that he needs to bring in a water line with hydrant at least to the end of the parking lot so that water is available in the event of a fire. He said that he has a business license and charges people to ride the trains on the property. He said the property is 8 acres, and it currently does not have anything on the interior to fight a fire. He said all other structures that have been built are metal, and what he is proposing is wood. He knows what he will build will be fantastic, but the fire marshal feels strongly that they need to meet fire code on this issue.

**Councilmember Alex Leeman**

- He said he has received a lot of comments about Lagoon traffic getting worse. **Rebecca Wayment** said she has received a lot of comments as well. He said he is not sure what is causing traffic to get so much worse compared to other years. **Chief Hansen** said the police department and City Hall have received a lot of calls as well. He said Lagoon claims federal regulations are making them use chip readers instead of swiping cars, which is causing the intake lanes to get backed up. The council members, Mayor, and police chief discussed possible solutions. **Shane Pace** suggested he and the Chief Hansen meet with Lagoon's general manager and head of security to come up with possible solutions before UDOT and the Highway Patrol start becoming involved if the problem remains the same or gets worse.

**Councilmember Brett Anderson**

- He said resident Kristin Milm on Spring Creek Dr. sent an email about someone almost getting run over in her neighborhood. **Shane Pace** said the City is doing a number of things, including putting additional speed limit signs, followed by additional speed display signs, and then evaluating after each. He said the City Traffic Engineer Tim

Taylor is doing a street study, and is the one behind these suggestions. He said there are reports of “close calls,” and 50-60 mph cars driving by, but when the officers have sat on the road, they have not seen it. He said they are still working with her to find solutions.

- He said the developer, Jeff Johnson, building the 4 units across from the high school is wanting to get occupancy permits even though weber water will not be in until October. He said a homeowner can live in their home without weber water; however, they cannot close their construction loans until it’s put in. **Shane Pace** said he can talk with Eric about that tomorrow to ensure the big things, like culinary water are in, and then work something out.

#### **Mayor Jim Talbot**

- He thanked all those that are rerunning in the upcoming election.
- He reminded the council members to grab their tickets for the Web.com event on the 27<sup>th</sup>.
- He said Festival Days is around the corner; he asked that the council members review the agenda to see where they can help out.
- He said he has met with the Fire Chief, and the boundary for fireworks will not change this year.

#### **ADJOURNMENT**

##### ***Motion:***

At 10:41 p.m., **Rebecca Wayment** moved to adjourn the meeting.

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**Holly Gadd**, Recorder